

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No.2809 of 1986

\*\*

For Approval and Signature:

Hon'ble MR.JUSTICE R.A.MEHTA

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?  
1 to 5 : No

-----  
BHURABHAI M DESAI

Versus

EXECUTIVE ENGINEER  
-----

Appearance:

MR AN PATEL for Petitioner

MR HV CHHATRAPATI for Respondent No. 1, 2  
-----

CORAM : MR.JUSTICE R.A.MEHTA

Date of decision: 24/12/97

ORAL JUDGEMENT :

The petitioner, a work charged Driver has challenged the order of his termination. The fact that the petitioner was a work charged Driver is not in dispute. In fact, the orders of appointment are for the work charged Driver are for a limited period and on expiry of such period his services came to end, whereas the petitioner says he has been terminated by oral order.

2. In view of the fact that the petitioner was a work charged Driver and his services have come to end by efflux of time of fixed period of appointment, there is no illegality in such action of the respondents.

3. In this petition filed in 1986 the petitioner has been granted interim relief against eviction from the quarter. Unfortunately, this interim relief continued for unduly long period of 11 years.

4. Since there is no merit in the petition, the petition is dismissed. Rule is discharged. Interim relief is vacated.

5. It is assumed that for the period of his stay in the quarter the petitioner ought to have paid rent according to rules and if he has not paid he shall pay arrears of rent within the period three months. It is made clear that there is no continuance of any interim relief.

-oOo-

karim\*